

regulatory nuclear protein SEF3 (*Allen et al.*, 1989), and an 8-nucleotide enhancer core-like motif (*Weither et al.*, 1983; *Hata et al.*, 1986), located at position -1105 to -1112 with the sequence 5'-GTGGAAAG-3'. Additionally, three E-boxes (consensus sequence: 5'-CANNTG-3'; Pabo, 1992), three shear-stress-responsive elements (SSRE: 5'-GAGACC-3'; *Resnick et al.*, 1993), and several repetitive sequences are present in this 5'-end region. These findings suggest that transcription may be influenced by a variety of genetic elements.

**IN THE CLAIMS:**

Kindly replace claims 6-9, and add new claims 10-21 as follows.

6. (Amended) A plasmid in which the promoter according to claim 4 was incorporated.
7. (Amended) A transgenic plant cell in which the promoter according to claim 4 was incorporated to activate expression of a structural gene existing downstream of the promoter.
8. (Amended) A transgenic plant body in which the promoter according to claim 4 was incorporated to activate expression of a structural gene existing downstream of the promoter.

a<sup>2</sup>  
9. (Amended) A method to activate expression of an exogenous structural gene or an endogenous structural gene in a plant by incorporation of the promoter according to claim 4 into upstream of the structural gene.

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10. (New) A plasmid in which the promoter according to claim 3 was incorporated.

11. (New) A plasmid in which the promoter according to claim 2 was incorporated.

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12. (New) A plasmid in which the promoter according to claim 1 was incorporated.

13. (New) A transgenic plant cell in which the promoter according to claim 3 was incorporated to activate expression of a structural gene existing downstream of the promoter.

14. (New) A transgenic plant cell in which the promoter according to claim 2 was incorporated to activate expression of a structural gene existing downstream of the promoter.

15. (New) A transgenic plant cell in which the promoter according to claim 1 was incorporated to activate expression of a structural gene existing downstream of the promoter.

16. (New) A transgenic plant body in which the promoter according to claim 3 was incorporated to activate expression of a structural gene existing downstream of the promoter.

17. (New) A transgenic plant body in which the promoter according to claim 2 was incorporated to activate expression of a structural gene existing downstream of the promoter.

18. (New) A transgenic plant body in which the promoter according to claim 1 was incorporated to activate expression of a structural gene existing downstream of the promoter.

19. (New) A method to activate expression of an exogenous structural gene or an endogenous structural gene in a plant by incorporation of the promoter according to claim 3 into upstream of the structural gene.

20. (New) A method to activate expression of an exogenous structural gene or an endogenous structural gene in a plant by incorporation of the promoter according to claim 2 into upstream of the structural gene.

21. (New) A method to activate expression of an exogenous structural gene or an endogenous structural gene in a plant by incorporation of the promoter according to claim 1 into upstream of the structural gene.

**SECRET**